IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Claire A. CaJACOB et al.

Appln. No.: 09/233,218

Filed:

January 20, 1999

Confirmation No.:

7809

Art Unit:

1637

Examiner:

Young J. Kim

Atty. Docket:

16517.231

For:

Nucleic Acid Molecules and Other Molecules Associated with the Tetrapyrrole W24 SEC

Pathway

Mail Stop Express Abandonment

Commissioner for Patents

Alexandria, VA 22313-1450

P.O. Box 1450

Express Abandonment Under 37 C.F.R. § 1138(a)

JAN 1 7 2006

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT AL PEALS AND INTERFERENCES

Sir:

Applicants request that U.S. Application Serial No. 09/233,218 be expressly abandoned under 37 C.F.R. § 1.138(a) upon entry of the Amendment filed January 6, 2006.

Applicants note that a continuation application based on the above-identified application was filed on January 11, 2006.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below. The undersigned is an attorney of record and therefore has authority to expressly abandon the above-captioned U.S. application.

Respectfully submitted,

Filed: January 17, 2006

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David R. Marsh, Reg. No. 41,408

Arnold & Porter LLP

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I hereby certify that this transmittal and the attached Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the BPAI (attention Dianne Maggard) via facsimile number 571-273-0299.

January 17, 2006

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January 17, 2006

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Board of Patent Appeals and Interferences	(571) 2	73-0299	
Attn: Dianne Maggard	OFAU	DEDIO TEL EDITONE	SENDER'S ROOM NUMBER
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Re: Appeal No. 2004-1725; Conf. No. 7809

U.S. Patent Appln. Ser. No. 09/233,218 filed January 20, 1999

Title: Nucleic Acid Molecules and Other Molecules Associated with the Tetrapyrrole Pathway

Inventors: Claire A. CaJACOB et al.

Atty. Docket: 16517.231

Please see the attached Express Abandonment under 37 CFR § 1.138(a) for the above-identified application.

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January 17, 2006

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT A PEARS AND INTERFERENCE OPPEAL No. 2004-1725

VIA F<u>ACSIMILE</u>

Confirmation No. 7809

Board of Patent Appeals and Interferences United States Patent and Trademark Office P.O. Box 1450 Alexandria, Virginia 22313-1450

Re:

U.S. Patent Application Serial No. 09/233,218 filed January 20, 1999

Inventors: Claire A. CaJACOB et al.

Title:

Nucleic Acid Molecules and Other Molecules Associated

with the Tetrapyrrole Pathway

Atty. Dkt.: 16517.231 (38-21(15090)B/US)

Sir:

Transmitted herewith for appropriate action by the Board of Patent Appeals and Interferences is an Express Abandonment under 37 C.F.R. § 1.138(a).

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Appellants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docketing number 16517.231.

Sincerely.

David R. Marsh (Reg. No. 41,408)

Attachment

I hereby certify that this transmittal and the attached Express Abandonment under 37 C.F.R. § 1.138(a) are being firesimile transmitted to the BPAI

(autorion Diapoe Maggard) via facsimile number 571-273-0299.

David R. Marsh (Reg. No. 41,408)

January 17, 2006